

**REISSUE APPLICATION DECLARATION  
AND POWER OF ATTORNEY BY THE ASSIGNEE**

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I am authorized to act on behalf of the following company: **Future Energy GmbH**

The entire title to the patent identified below is vested in said company.

Name of Patentee(s): **Helmut PEISE, Manfred SCHINGNITZ, Dietmar DEGENKOLB**

Patent Number: **5,968,212**

Date of Patent Issued: **October 19, 1999**

Title of Invention: **Apparatus for Gasification of Combustion and Waste Materials  
Containing Carbon and Ash**

I believe said patentee(s) to be the original, first and sole or joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled

**APPARATUS FOR GASIFICATION OF COMBUSTION AND WASTE MATERIALS  
CONTAINING CARBON AND ASH**

the specification of which is attached hereto and amended by the attached amendment.

I hereby state that I reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, by reason of translation error.

At least one error upon which reissue is based is described as follows:

There was a translation error made when translating the original priority application. The term "Flugstrom vergaser" was incorrectly translated as "fluidized-bed reactor" when it should have been "gasification reactor". The term is already in the specification at line 18 of column 3 and is supported in the title. The prosecution history and references cited by the Examiner establish that a gasification reactor was claimed and prosecuted in spite of the use of the incorrect "fluidized-bed reactor". Thus, the present reissue only corrects this error in terminology.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; THOMAS LANGER, Reg. No. 27, 264; MICHAEL C. STUART, Reg. No. 35,698; EDWARD WEISZ, Reg. No. 37,257; KENT H. CHENG, Reg. No. 33,849; VINCENT M. FAZZARI, Reg. No. 26,879; JULIA S. KIM, Reg. No. 36,567; ALFRED FROEBRICH, Reg. No. 38,887; ALFRED H. HEMINGWAY, Jr., Reg. No. 26,736; YUNLING REN, Reg. No. 47,019; ROGER S. THOMPSON, Reg. No. 29,594; F. BRICE FALLER, Reg. No. 29,532; TEODOR J. HOLMBERG, Reg. No. 50,140.

Or alternatively (and better) use: Customer No. **27799**


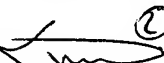
Address all telephone calls to Thomas C. Pontani, Esq. at telephone No. (212) 687-2770.

Address all correspondence to:

Thomas C. Pontani, Esq.  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue, Suite 1210  
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full Name of Person Signing (given name, family name):**

Signature:  ①  ② ① WOLFGANG KROP ② JÖRG KUNTZSCH

Title of Position: Geschäftsführer GF (MANAGING DIRECTOR)

Dated: 02.25.04  
Month/Day/Year

Residence:

Citizenship:

Post Office Address:

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Attorney Docket 3457-39RE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

BBP Environment GmbH  
Fabrik Str. 1  
51643 Gummersbach  
Germany

2. Name and address of receiving party(ies):

Name: Future Energy GmbH

Internal Address:

Street Address: Halsbrücker Str. 34

City: Freiberg

State/Country: Germany

Zip: 09599

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Effective Date: March 25, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
SN.: 08/954,361

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas C. Pontani

Internal Address: Cohen, Pontani, Lieberman & Pavane

Street Address: 551 Fifth Avenue, 12<sup>th</sup> Floor

City: New York State: New York Zip: 10176

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$40.00

☒ Enclosed  
☒ Authorized to be charged to deposit account

8. Deposit account number: 03-2412  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Alfred W. Froebrich  
Name of Person Signing  
Reg. No. 38,887

Signature

December 19, 2003  
Date

Total number of pages including cover sheet, attachments, and document:

8

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Form PTO-1595

March 12, 1998

MAR 16 1998

FOR

04-23-1998

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

TO THE Assistant Commissioner for Patents:  
Please record the attached original documents on:

100691749

Attorney Docket No.: 3457-39

## 1. Name of conveying party(ies):

Helmut PEISE  
Manfred SCHINGNITZ  
Dietmar DEGENKOLB

## 2. Name and address of receiving party(ies):

Name: Noell-KRC Energie- und  
Umwelttechnik GmbH

Internal Address:

Street Address: Industriestraße 70

City: Schkeuditz

Country/State/Zip: Germany 04435

Additional names and addresses attached? ☐ yes ☒ no

Additional name(s) of conveying party(ies) attached?  
☐ yes ☒ no

## 3. Nature of Conveyance

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: November 3, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is  
November 3, 1997 ;

A. Patent Application No.(s)

08/954,361

B. Patent No.(s):

N/A

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Klaus P. Stoffel, Esq.

Internal Address: Cohen, Pontani, Lieberman &amp; Pavane

Street Address: 551 Fifth Avenue, Suite 1210

City: New York State: NY ZIP: 10176

## 6. Total number of applications and patents involved:

[1]

7. Total fee (37 C.F.R. 3.41) \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: 03-2412

(Attach duplicate copy of this page if paying by deposit account)

04/17/1998 BSTEHART 00000067 08954361

01 FC:581

40.00 OP

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Klaus P. Stoffel, Esq.

Name of Person Signing  
Reg. No. 31,668

Signature

March 12, 1998

Date

Total number of pages including cover sheet, attachments and document [4]

OMB No. 0651-0011 (exp. 4/84)

do not detach this portion  
Mail documents to be recorded with required cover sheet information to:  
Assistant Commissioner for Patents, Box Assignments  
Washington, D.C. 20231

9101/0936 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## A S S I G N M E N T

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, We the undersigned, **Helmut PEISE, Manfred SCHINGNITZ, Dietmar DEGENKOLB**, (hereinafter referred to as "ASSIGNOR");

Hereby sell, assign and transfer to **Noell-KRC Energie- und Umwelttechnik GmbH** (hereinafter referred to as "ASSIGNEE"), a corporation of Germany, having a place of business at Industriestraße 70, 04435 Schkeuditz, Germany, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith, and is entitled

### **APPARATUS FOR GASIFICATION OF COMBUSTION AND WASTE MATERIALS CONTAINING CARBON AND ASH,**

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements;

execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 11/03/1997  
month/day/year

Helmut Peise  
Helmut PEISE

Dietmar Degenkolb  
Witness Dietmar Degenkolb

Ulrich Müller  
Witness Ulrich Müller

Date: 11/03/1997  
month/day/year

Manfred Schingnitz  
Manfred SCHINGNITZ

Dietmar Degenkolb  
Witness Dietmar Degenkolb

Ulrich Müller  
Witness Ulrich Müller

Date: 11/03/1992  
month/day/year

Dietmar Degenkolb  
Dietmar DEGENKOLB

Ulrich Müller  
Witness Ulrich Müller

Bernd Holle  
Witness Bernd Holle



The U.S. Patent and Trademark Office  
Assistant Commissioner for Patents  
Washington DC 20231  
USA

**Assignment of Patent and Patent Application Rights**

In the register of the U.S. Patent and Trademark Office Noell-KRC Energie- und Umwelttechnik GmbH is listed as owner of US Application Serial No. **05/968,212**.

Because of a merger contract dated 3/13/2002 the owner of the instant application has merged with the signor company. In accordance with the copy of the [German] Trade Register of Gummersbach the signor company is the legal successor of the registered application holder in accordance with the entry in the trade register dated 6/14/02 before the court in Gummersbach.

As to the assets of the legal successor the court of Duisburg opened an insolvency proceeding on 9/1/02, ordered self-administration and appointed Dr. Schmitz of Krefeld as special manager with proxy rights.

In its position as legal successor of the of the application the undersigned company assigns the rights to US Application Serial No. **05/968,212** to **Future Energy GmbH, Halsbruecker Str. 34, 09599 Freiberg** and thus permits change of the assignee rights.

Location/Date Gumemrbach 3/17/03

BBP Environmental GmbH i.l.

counter signature

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Acknowledgement of Change in Assignee

We acknowledge transfer of patent rights and request as future patent owner entry in the corresponding registries.

Location/Date Freiberg 3/25/03

**Future Energy GmbH**

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Attachments

Copy of trade register of BBP Environment GmbH of 6/14/02

Copy of insolvency decision

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application

Original Patent No.: 5,968,212

Original Issue Date: October 19, 1999

Patentees: Helmut PEISE et al.

Title: Apparatus for Gasification of  
Combustion and Waste Materials  
Containing Carbon and Ash

Mail Stop Reissue

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

REISSUE APPLICATION BY ASSIGNEE  
OFFER TO SURRENDER, CONSENT TO REISSUE


Future Energy GmbH is now owner by assignment of the entire interest in U.S. Patent Number 5,968,212, entitled "Apparatus for Gasification of Combustion and Waste Materials Containing Carbon and Ash" issued October 19, 1999, to Helmut PEISE, Manfred SCHINGNITZ, and Dietmar DEGENKOLB. Filed herewith is a Certificate under 37 CFR 3.373(b).

Future Energy GmbH hereby offers to surrender U.S. Patent Number 5,968,212.

Future Energy GmbH hereby consents to the accompanying application which seeks reissue of U.S. Patent Number 5,968,212.

Date: 25.02.04

Future Energy GmbH

Signature: 

Name: G. Kropp

J. Kuntzsch

Title: Geschäftsführer

GF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application

Original Patent No.: 5,968,212

Original Issue Date: October 19, 1999

Patentees: Helmut PEISE et al.

Title: Apparatus for Gasification of  
Combustion and Waste Materials  
Containing Carbon and Ash

Mail Stop Reissue

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

CERTIFICATE UNDER 37 CFR 3.73(b)

**Future Energy GmbH:**

☒ the assignee of the entire right, title and interest; or

☐ an assignee of an undivided part interest

in the patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent identified above, to the current assignee as shown below:

1. From: the inventors To: Noell-KRC Energie-und Umwelttechnik GmbH

2. From: Noell-KRC Energie-und Umwelttechnik GmbH To: BBP Environment GmbH a copy thereof is attached.

3. From: BBP Environment GmbH To: Future Energy GmbH a copy thereof is attached

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[X] Copies of assignments or other documents in the chain of title are attached.

**[NOTE]:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 C.F.R. Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 25.02.04

Name: W. Kropp J. Kuntzsch

Title: Geschäftsführer GF

Signature: W. Kropp J. Kuntzsch